

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Christopher Allan Rainey, ) C/A No.: 9:10-1963-JFA-BM  
                              )  
                              Plaintiff, )  
                              )  
vs.                          )                                  ORDER  
                              )  
                              )  
Doctor Thomas Byrnes; Rosita Thomas; and )  
Leon Mack,                                      )  
                              )  
                              Defendant(s). )  
                              )  
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The *pro se* plaintiff, Christopher Allan Rainey, brings this action pursuant to 42 U.S.C. § 1983 alleging constitutional violations by the defendants.

The Magistrate Judge assigned to this action<sup>1</sup> has prepared a Report and Recommendation wherein he suggests that the plaintiff's claim of "unprofessionalism" should be dismissed. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The defendants filed a motion to dismiss plaintiff's claim of unprofessionalism. An order was then issued pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975) notifying plaintiff of the summary dismissal procedure and possible consequences if he failed to adequately respond to the motion for summary judgment. Plaintiff did not respond to the

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<sup>1</sup> The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

motion.

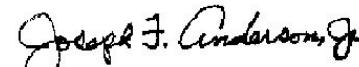
The plaintiff was further advised of his right to file objections to the Report and Recommendation, which was entered on the docket on November 17, 2010. However, the plaintiff did not file any objections to the Report within the time limits prescribed. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After a careful review of the record, the applicable law, and the Report and Recommendation, the court finds the Magistrate Judge's recommendation proper and incorporated herein by reference. Accordingly, the plaintiff's claim for "unprofessionalism" is dismissed.

The Clerk shall return this file to the Magistrate Judge on the remaining claims.

IT IS SO ORDERED.

December 13, 2010  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge